

North Somerset Council Decision

Decision Of: Executive Member for Adult Services, Health and Housing
With Advice From: Director of Public Health
Directorate: Public Health and Regulatory Services



Decision No: PH052 2021/2022

Subject: Regulatory Services Enforcement Policy

Key Decision: YES

Reason:

The regulators code came into statutory effect on 6 April 2014 under the Legislative and Reform Act 2006 and provides a clear, flexible, principles based framework for how regulators should engage with those that they regulate. Local authorities have to have regard to it when developing their policies and procedures that guide their regulatory activity.

Background:

The services which combine to make up regulatory services have merged into a new directorate, the Public Health and Regulatory Services Directorate, and the existing enforcement policy required updating to reflect this. This policy does not apply to the Strategic Housing Services, where a specific and separate policy applies to housing related enforcement. Essentially the policy demonstrates the commitment to the principles of good enforcement as set out in the above Act.

Decision:

The Regulatory Services Enforcement Policy is approved and adopted by the Authority.

Reasons:

Each local authority has a duty under the above Act to have in place an enforcement policy that is drafted in line with the regulators code.

Options Considered:

It is mandatory for the local authority to have a published enforcement policy.

Financial Implications:

None.

Costs:

None.

Funding:

None.

Legal Powers and Implications:

The Legislative and Reform Act 2006 cover the requirement for such a policy.

Climate Change and Environmental Implications:

None.

Consultation:

In consultation with the relevant service managers for Food and Commercial Safety, Trading Standards, Environmental Protection and Licensing and overview by the Chairman of the Health Overview and Scrutiny Panel.

Risk Management:

Not producing an enforcement policy may increase the risk of a legal challenge to action taken by the regulatory service teams that the correct processes and procedures were not undertaken.

Equality Implications:

Have you undertaken an Equality Impact Assessment? No

Corporate Implications:

N/A

Appendices:

Regulatory Services Enforcement Policy, April 2022.

Background Papers:

None.

Signatories:

Decision Maker(s):



Signed: .

Title: Executive Member

Date : 11.03.22

With Advice From:



Signed:

Title: Director of Public Health & Regulatory Services

Date: 11.03.22

Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:

Additional text has been inserted in the background section to clarify this policy does not apply to the Strategic Housing Services, where a specific and separate policy applies to housing related enforcement.